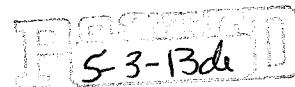


Josh.Minges

From: John Hofer <jhofer@willoughbyhofer.com>
Sent: Friday, May 03, 2013 2:40 PM
To: Josh.Minges
Cc: Reece Williams; Nelson, Jeff
Subject: FW: Correct Scheduling Notices
Attachments: 2013-148-S (1).docx; 2013-149-S.docx
243787 243788



Dear Mr. Minges:

I represent Palmetto Utilities, Inc. ("PUI") and am in receipt of the May 1, 2013 Scheduling Notices ("Notices") in the above-referenced complaint proceedings.

Based upon communications between the Complainants, PUI, ORS and their respective counsel, PUI understands that these two complaints raise the issue of whether PUI has, in its most recent billings to the Complainants, properly calculated the number of single family equivalents ("SFEs") attributable to Complainants' commercial service premises under the rate schedule approved by the Commission for PUI in Order No. 2011-617, issued September 14, 2011, in Docket No. 2011-24-S. These billings reflect an increase in the number of SFEs attributable to Complainants as a result of a commercial customer survey that was recently completed by PUI which was the subject of the March 5, 2013, notice to Complainants that is referenced in each of the complaints.

I am writing to you to request that both of these complaints be held in abeyance until the current application for rate relief filed by PUI, which is pending before the Commission in its Docket No. 2013-42-S, is concluded. The grounds for this request are as follows:

1. PUI has committed to the Complainants that (a) they may continue to pay charges based upon the number of SFEs reflected in their March invoices, which were issued prior to the recent increase in SFEs, and (b) PUI will not seek to disconnect sewer service to them based upon any underpayment. Although PUI will continue to bill at the rate reflected in the most recent (April) invoices, the Complainants need only pay the amounts reflected in their prior invoices.
2. The Complainants may litigate the issues raised by their complaints in the pending PUI rate relief proceeding, i.e., Docket No. 2013-42-S, as they are both Intervenor and parties of record.
3. In the event that the Commission determines that the number of SFEs sought to be attributed to Complainants by PUI in the April invoices is either (a) correct or (b) is some number greater than that reflected in PUI's invoices to Complainants for March, 2013, PUI would have the right to backbill the Complainants for the difference between the charges that they have paid PUI and the charges that they would have paid based upon the number of SFEs determined by the Commission for each month during which the Complainants pay the lesser charges.
4. The right of the Complainants to propose another rate design that does not utilize single family equivalents, and the rights of the parties in the complaint proceedings and the pending rate case to appeal any Commission determination regarding this matter, would be preserved such that no party would be precluded from proposing another rate design or be finally bound until all appellate rights have been exhausted.

I have consulted with counsel for both the Complainants and the Office of Regulatory Staff and they have indicated their consent to the foregoing. If it is acceptable to you, I would ask that you issue a Hearing Examiner Directive in the above-referenced cases to that effect.

By copy of this email, I am notifying counsel for the Office or Regulatory Staff and the Complainants of these requests.

If you have any questions, or require additional information, please do not hesitate to contact me.

Respectfully,
John M. S. Hoefer
Attorney for Palmetto Utilities, Inc.

From: Colanthia.Alvarez [<mailto:Colanthia.Alvarez@psc.sc.gov>]

Sent: Wednesday, May 01, 2013 3:12 PM

To: John Hoefer; Nelson, Jeff; reecewilliams@callisontighe.com

Subject: Correct Scheduling Notices

Please find attached copies of the correct scheduling notices. Thank you

*Colanthia B Alvarez
Administrative Coordinator 1
Public Service Commission of SC
101 Executive Center Drive
Columbia, SC 29210*